HIGH COURT OF UTTARANCHAL AT NAINITAL

Writ Petition No. 5096 (MS) of 2001
Old No. 25547 of 1994

Smt. Shakuntala Devi
W/o Sh. Yogeshwar Prasad
R/o Mohalla Sot, Patthar Wali
Gali Roorkee, District Haridar. ..... Petitioner

Vs

District Judge, Hardwar and
Others ..... Respondents.

Hon'ble Rajesh Tandon J.

File has been transferred from Allahabad High Court.

None appears for the parties.

By the present writ petition the petitioner has prayed for issue of a writ, order or direction in the nature of certiorari quashing the order dt. 4-5-1994 passed by the Rent Control and Eviction Officer, Roorkee District Hardwar by which the release application under Section 16 (1) (a) of the U.P. Act No.13 of 1972 has been rejected on the ground that there is no vacancy as contemplated under Section 12 of the U.P. Act No. 13 of 1972.

Briefly stated the petitioner has filed an application that the accommodation in dispute is deemed vacant under Section 12(1) of the U.P. Act No.13 of 1972 as the premises was found locked.

The S.D.M has rejected the application for declaring accommodation as vacant, the writ petition has been filed against the said order. I find no infirmity in the order so as to interfere under Article 226/227 of the Constitution of India.

The writ petition is dismissed.

Dated:- 21-9-2004 **(RAJESH TANDON)**

M.K.